

REMARKS

This is a full and timely response to the non-final Official Action mailed October 28, 2004. Reconsideration of the application in light of the above amendments and the following remarks is respectfully requested.

By the forgoing amendment, claim 29 has been amended. No claims are cancelled. However, claims 7-9 were cancelled previously. New claims 60 and 61 have been added. Thus, claims 1-6 and 10-61 are currently pending for the Examiner's consideration.

The recent non-final Office Action, objected to claim 29 due to a typographical error in the stated dependency of the claim. Consequently, claim 29 has been reviewed and amended herein to depend from claim 28. Thus, claim 29 is thought to no longer be subject to objection, and notice to that effect is respectfully requested.

With regard to the prior art, the recent non-final Office Action rejected claims 36, 51-53 and 56-59 as anticipated under 35 U.S.C. § 102(e) by U.S. Patent No. 6,002,687 to Magee et al. ("Magee"). Claims 1-6, 11-21, 24, 25, 27-33, 37, 38, 40-48, 54 and 55 were rejected under 35 U.S.C. § 103(a) over the combined teachings of Magee and U.S. Patent No. 5,506,844 to Rao ("Rao"). Claims 10 and 26 were rejected under 35 U.S.C. § 103(a) over the combined teachings of Magee, Rao and U.S. Patent No. 5,896,414 to Meyer ("Meyer"). Claims 22, 23, 34 and 35 were rejected under 35 U.S.C. § 103(a) over the combined teachings of Magee, Rao and U.S. Patent No. 5,764,641 to Lin ("Lin"). Claim 39 was rejected under 35 U.S.C. § 103(a) over the combined teachings of Magee and Meyer. Claims 49 and 50 were rejected under 35 U.S.C. § 103(a) over the combined teachings of Magee and Lin. For at least the following reasons, this rejection is respectfully traversed.

Independent claim 36 was rejected as anticipated by Magee. Claim 36 recites:

A re-multiplexer module comprising:
an input processor controlled by a host processor in a packet processing system
a packet buffer;
a packet identifier table wherein said input processor stores a packet in said
packet buffer if said packet has an identifier listed in said packet identifier table; and
an output processor that reads packets from said packet buffer and selectively
adds said packets to one of two or more output data streams.
(emphasis added).

In contrast, Magee fails to teach or suggest the claimed output processor that produces
“two or more output data streams.” The recent Office Action does not indicate how or where
Magee teaches the claimed output processor producing two or more output data streams.
Moreover, Magee expressly states that the remultiplexer described by Magee “assembles the
transport packets transferred on the downstream bus into a single output transport stream.”
(Magee, abstract) (emphasis added).

“A claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set
forth in the claim is found, either expressly or inherently described, in a single prior art
reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed.
Cir. 1987) (emphasis added). See M.P.E.P. § 2131. Therefore, because Magee fails to teach
or suggest all the features of claim 36, the rejection of claims 36-50 based on Magee should
be reconsidered and withdrawn.

Independent claim 51 was also rejected as anticipated by Magee. Claim 51 recites:

A re-multiplexer module comprising:
an input processor controlled by a host processor in a packet processing system
a packet buffer; and
a packet identifier table wherein said input processor stores a packet in said
packet buffer if said packet has an identifier listed in said packet identifier table;
wherein said input processor further comprising a Program Clock Reference
(PCR) detector that flags packets containing PCR data.

In contrast, Magee does not teach or suggest the claimed PCR detector that flags packets containing valid PCR data. Applicant's specification explains, "[t]he input processor 120 also may identify and flag packets having valid program clock reference (PCR) data to reduce the processing load on the output processor; this is conducted by checking whether an adaptation field exists in an MPEG packet input to the input processor and, if one exists, checking the status of a PCR flag bit in the adaptation field." (Applicant's spec., para. 0018). "PCR detection block 208 in the input processor 120 monitors input packets for a valid PCR field and writes a PCR flag to the packet buffer 104. Because PCR timestamp reads will only be necessary from packets containing valid PCR fields, the output processing portion 106 uses the PCR flag information to minimize the number of read operations that it must perform." (Applicant's spec., para. 0024).

In this regard, the Office Action cites Magee, col. 15, lines 5-12. This portion of Magee merely states that: "As per the MPEG-2 specification, if a PCR is present in a transport packet, it is located at a particular location within the transport packet. Specifically, the transport packet header adaption field control bits will indicate that it has an adaption field and the adaption field will have a PCR_flag set to indicate that a PCR is present."

This, however, does not teach or suggest the claimed PCR detector *in the input processor* of the remultiplexer that writes an *additional* flag after verifying the existence and validity of PCR data in a particular packet. Consequently, Magee fails to teach or suggest all the features of claim 51.

"A claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). See M.P.E.P. § 2131. Therefore, because Magee fails to teach

or suggest all the features of claim 51, the rejection of claims 51-59 based on Magee should be reconsidered and withdrawn.

Independent claims 1 and 24 were rejected as unpatentable over the combined teachings of Magee and Rao. Claim 1 recites:

A re-multiplexer module comprising:
an input processor controlled by a host processor in a packet processing system;
a packet buffer;
a packet identifier table, said table comprising an active table containing values used by the input processor to select packets for storage in said packet buffer; and a pending table containing values that can be modified by the host processor while the active table is being used by the input processor,
wherein said input processor stores a packet in said packet buffer if said packet has an identifier listed in said packet identifier table.

Similarly, claim 24 recites:

A method of re-multiplexing data packets with a re-multiplexer module, said method comprising:
checking a packet identification (PID) number for each incoming packet against entries in a packet identifier table;
storing a packet in a packet buffer if a PID number for that packet is found in said packet identifier table;
dividing said packet identifier table into an active table and a pending table;
and
modifying said pending table while said active table is in use by an input processor performing said checking and storing of data packets.

In contrast, neither Magee nor Rao teach or suggest a packet identifier table or the use of a packet identifier table as claimed. In this regard, the recent Office Action points to the PID RAM (220) taught by Magee at, for example, Fig. 3. However, this PID RAM is not a packet identifier table as claimed that determines whether a packet is or is not written to a packet buffer.

According to Magee, “[t]he DLM input state machine 218 parses out the PID from the transport packet and inputs this extracted PID as an address to a PID RAM 220.” (Magee, col. 13, lines 60-65). The old PID is then used to form a new PID for the packet in the output transport stream. “In place of the old PID, the multiplexer 224 inserts the new PID retrieved from the PID RAM 220.” (Magee, col. 14, lines 19-21). Thus, the PID RAM (220) taught by Magee is used to generate new PIDs for packets being placed in the output transport stream. The PID RAM (220) is not a packet identifier table, as claimed, that is used to determine which packets to write to a packet buffer and which to discard.

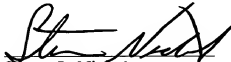
Consequently, neither Magee nor Rao teach or suggest the claimed packet identifier table and its use as recited in claims 1 and 24. Neither reference teaches or suggests that a packet identifier table is divided into active and pending tables that can be swapped as recited in claims 1 and 24. The Office has failed to indicate how or where any reference of record teaches this subject matter.

"A claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). See M.P.E.P. § 2131. Therefore, because Magee and Rao fail to teach or suggest all the features of claim 1, the rejection of claims 1-35 based on Magee and Rao should be reconsidered and withdrawn.

For the foregoing reasons, the present application is thought to be clearly in condition for allowance. Accordingly, favorable reconsideration of the application in light of these remarks is courteously solicited. If any fees are owed in connection with this paper, which have not been elsewhere authorized, authorization is hereby given to charge those fees to Deposit Account 18-0013 in the name of Rader, Fishman & Grauer PLLC. If the Examiner has any comments or suggestions which could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the number listed below.

Respectfully submitted,

DATE: 28 January 2005


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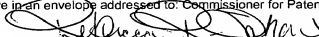
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CERTIFICATE OF MAILING

DATE OF DEPOSIT: January 28, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail on the date indicated above in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.


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